

Informational Briefing

MAY 14, 2002

FMC SITE

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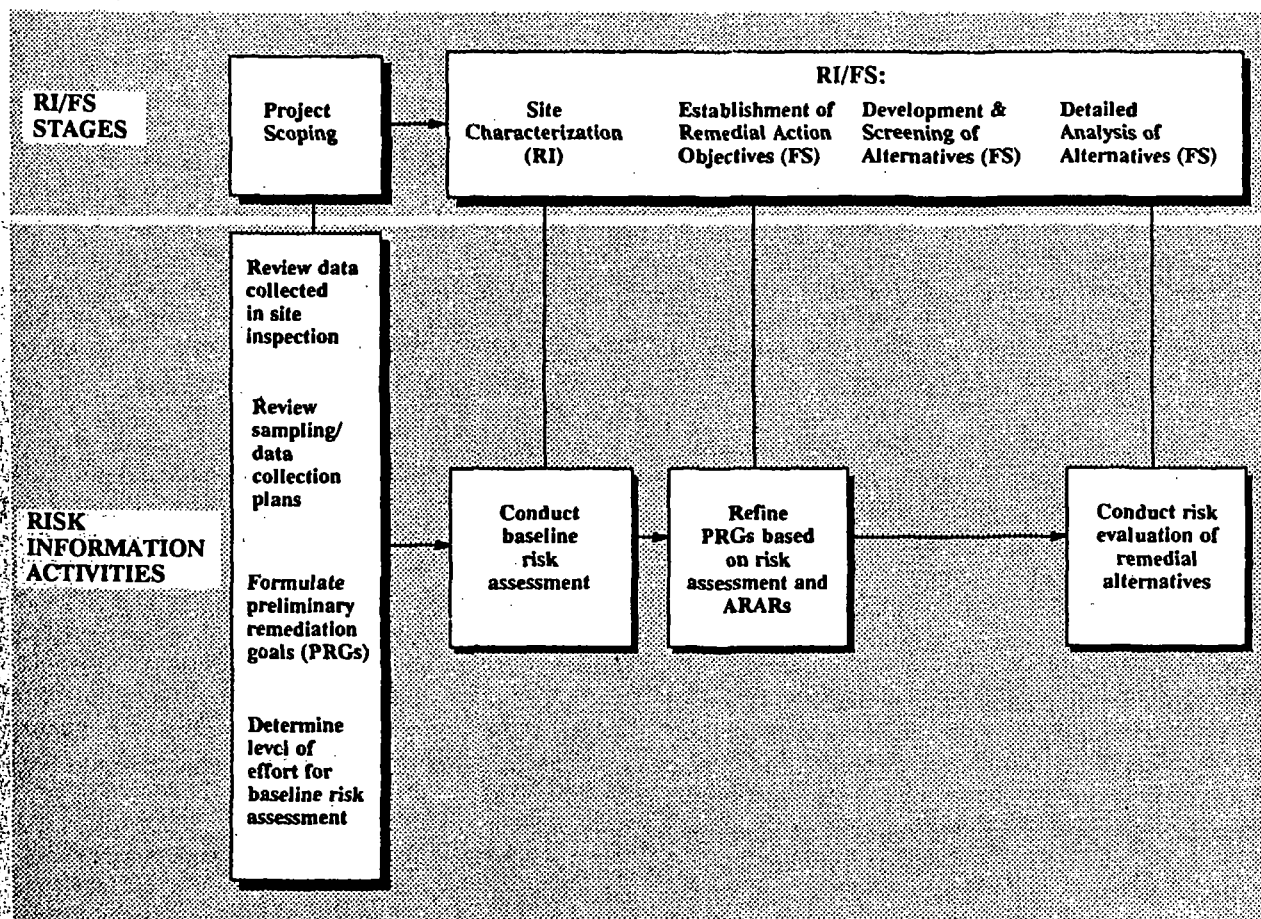


OVERVIEW

- Site Background History with EPA CERCLA and RCRA Program
- General Superfund Process
- FMC specific Record of Decision/Remedy Selection
- RCRA Capping/Closure Areas
- FMC Demolition Plans
- Other issues: Liability, Brownfields, Site Reuse

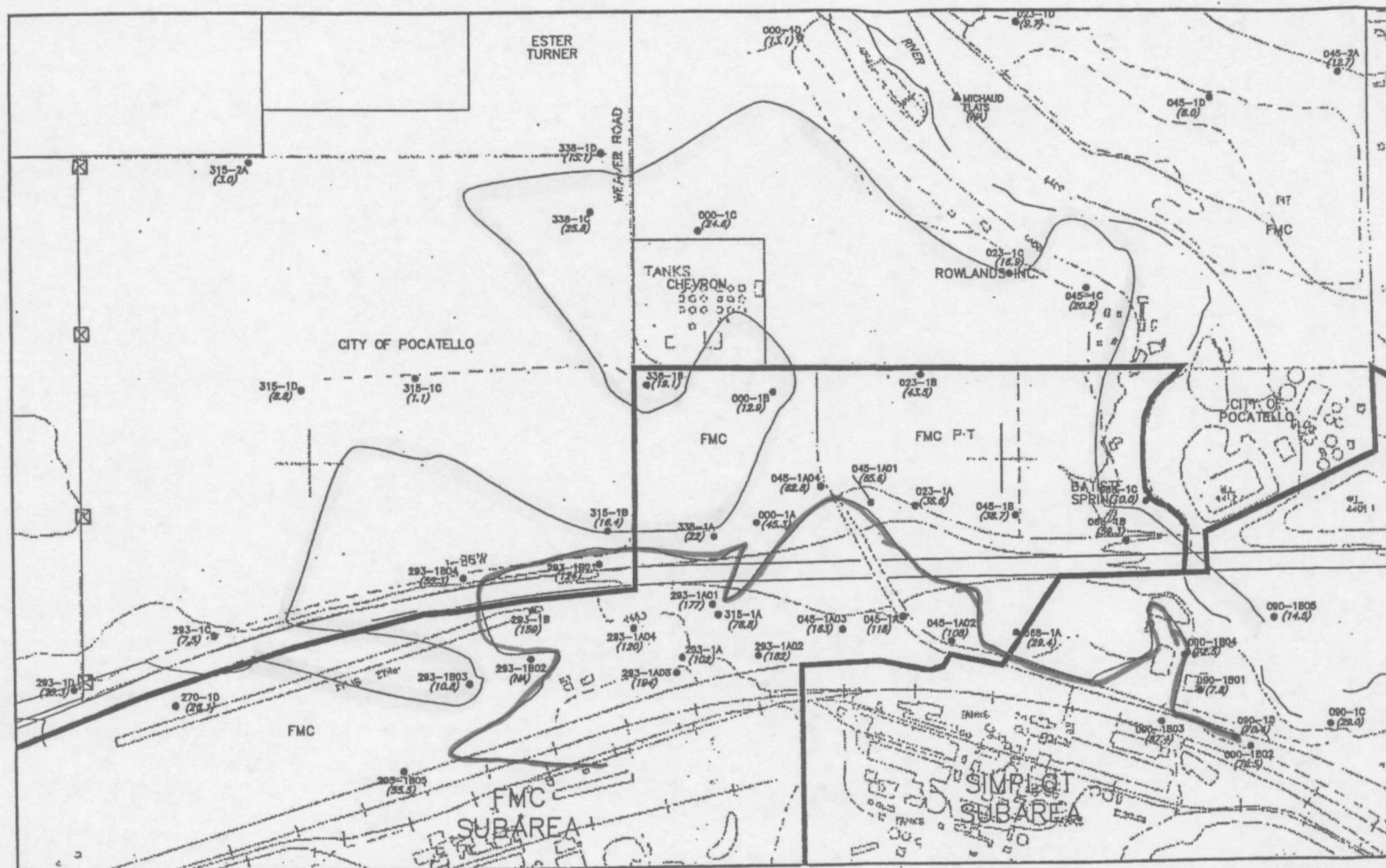
EXHIBIT 1-1

RISK INFORMATION ACTIVITIES IN THE RI/FS PROCESS



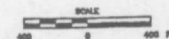
Superfund Remedial Objectives (Cleanup Objectives)

- Reduce the exposure to radon that would occur in future buildings constructed within the Plant Areas under a future industrial scenario.
- Prevent external exposure to radionuclides in soils at levels that pose estimated excess cancer risks.
- Prevent ingestion or inhalation of soils containing contaminants that pose risks.
- Reduce the release and migration of COCs to the ground water from facility sources that may result in concentrations of concern in ground water.
- Prevent potential ingestion of ground water containing contaminants that pose risks.



LEGEND:

- 113-2A ● SAMPLING LOCATIONS
- (3.01) CADMIUM CONCENTRATION (mg/kg)
- CT CASE (71 mg/kg)
- RME CASE (18.9 mg/kg)



**EASTERN MICHAUD FLATS
POCA TELLO, IDAHO**

FEASIBILITY STUDY

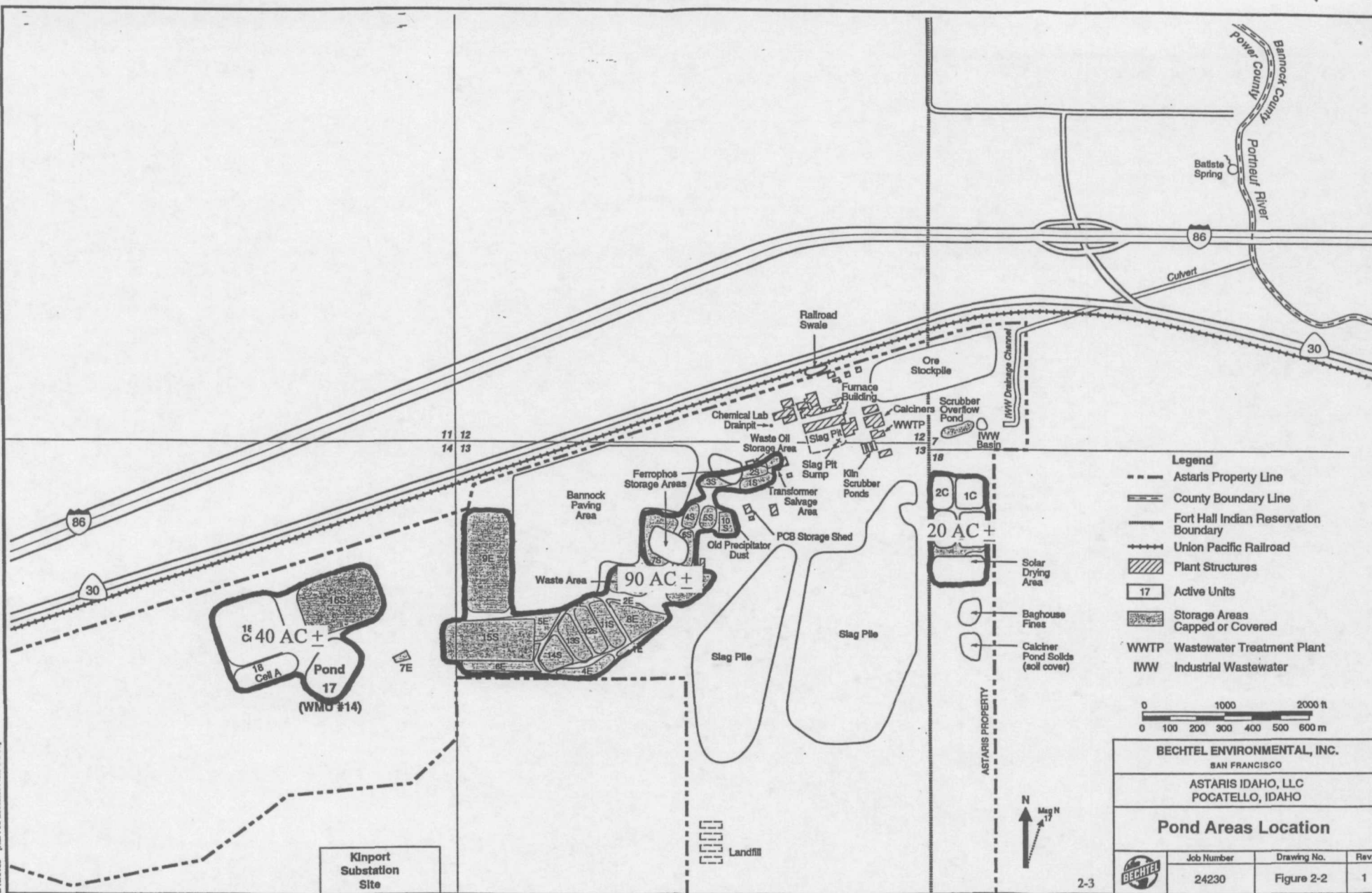
**OFFSITE SUBAREA
AREAS WHERE CADMIUM
CONCENTRATIONS IN SURFACE SOIL
EXCEED LEVELS EQUIVALENT TO
A HAZARD QUOTIENT OF ONE**

FIGURE -28

RCRA Unit Closures

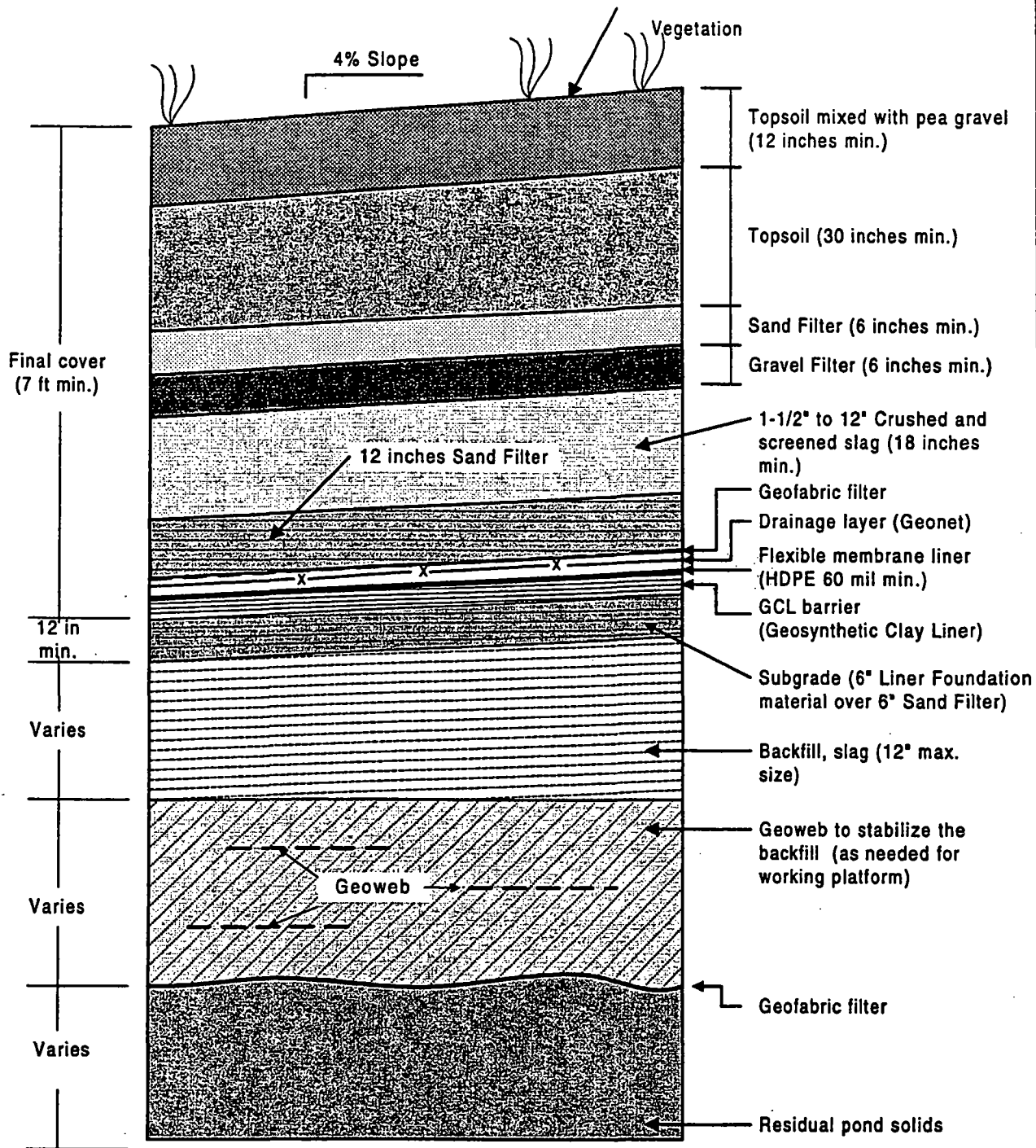
- Hazardous waste closed in place with RCRA caps
- Requirement for long term monitoring and maintenance of capped areas
- Certain units closed by removal (clean closure)

8/1/01/144 [REF. 82-23560.001 and 8-4-94]



Pond 17 Closure Plan

EMF_program\Pnd15S 3\Figures\Fig7 2.vsd



BECHTEL ENVIRONMENTAL, INC.
SAN FRANCISCO

FMC CORPORATION
POCATELLO, IDAHO

**Typical Section of
Pond 15S Cap and Subgrade**



Job No.	Drawing No.	Rev.
20906	Figure 7-2	1

Summary of Brownfields Legislation/CERCLA Amendments Enacted 1/11/02

TITLE I: SMALL BUSINESS LIABILITY RELIEF [see also other CERCLA Liability Clarifications in Subtitle B.]

- **Small Quantity Generators:** Limits CERCLA liability for treatment, transport or disposal of small quantities of waste before April 1, 2001;
- **Municipal Solid Waste:** Exempts residential property owners, small businesses and 501(c)(3) organizations that dispose of municipal solid waste from CERCLA liability.
- Adds conditions for the use of (and denial of) de minimus settlements.
- Does not apply to or affect any settlement, judgement, AOC or CD entered into or issued prior to Act.

TITLE II: BROWNFIELDS REVITALIZATION AND ENVIRONMENTAL RESTORATION

Subtitle A. Brownfields Revitalization Funding

- **Defines Brownfield Sites:** "real property, the expansion, redevelopment or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant"
 - **Excludes** from "brownfield site" definition facilities:
 - listed or proposed for National Priorities List [Superfund NPL]
 - subject to an issued or entered CERCLA UAO, court order, AOC or CD
 - with planned or ongoing removals
 - currently under federal jurisdiction, custody or control [except Tribal Trust lands]
 - permitted under RCRA, SWDA, FWPCA, TSCA or SDWA
 - subject to RCRA corrective action or closure,
 - with PCB releases subject to remediation under TSCA

[Note that on a site-by-site basis the President may authorize financial assistance for the last 5 exclusions if President finds assistance would protect public health and the environment and promote beneficial reuse]
 - **Includes** additional areas:
 - sites contaminated with controlled substances [as defined in S.102 of 21 USC 802]
 - mine-scarred land
 - sites contaminated by petroleum or petroleum products IF EPA or State determines site is
 - of relatively low risk as compared to other petroleum sites in the State AND
 - there is no viable PRP and the work will be done by non-PRP
 - **Eligible entities:** Tribes, States, local gov'ts and units of government, inc. redevelopment agencies, COGs
- **Grants.** Authorizes up to \$200 million/year, for FY 2002-2006, for EPA programs and grants to States, Tribes and local governments to assess and clean up brownfields, including 25% for sites with petroleum contamination.
 - **Assessment Grants:** to eligible entities for programs to inventory, characterize, assess and conduct planning related to 1 or more brownfield sites; limit of \$200k per site [with waiver, up to \$350k]
 - **Cleanup Grants:**
 - to eligible entities to establish Revolving Loan Funds (to make loans and/or grants), AND/OR
 - to eligible entities or non-profits to be used directly for remediation of 1 or more sites
 - all grants are subject to \$200k limit per site, may allow combinations of grants & loans;
 - eligible entities required to pay 20% cash or in-kind match unless EPA waives (due to hardship)
 - **Grants or loans**
 - shall "include a requirement of the NCP only to the extent that the requirement is relevant and appropriate" to the Brownfields Program, as determined by the Administrator [EPA goal will be to streamline while keeping enough of NCP to be protective & retain NEPA equivalence]; and
 - shall require the recipient to:
 - comply with all applicable Federal and State laws; and
 - ensure that the cleanup protects human health and the environment
 - can be used for insurance, and local governments can use up to 10% to monitor health or ICs
 - can NOT be given to potentially liable parties, or used for fines, cost-share, or administrative costs
- **Brownfields Program.** Authorizes training, research and technical assistance to facilitate cleanup and reuse.

Subtitle B: Brownfields [Superfund] Liability Clarifications

Three clarifications made in the form of amendments to CERCLA Sec. 107 and 101(35). Effective dates vary.

- **Contiguous Property Owners.** Provides Superfund liability relief for innocent persons who own property that is